



TO: Development Services Customers

SUBJECT: **INFORMATION BULLETIN 563**  
Notification Procedures for Plan Amendment and Zoning Requests and  
determination of Super Majority Votes

DATE: June 16, 2017

CREATED BY: Land Development Division/Zoning Section

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**Purpose:**

As a customer service initiative, the Development Services Department (DSD) created this bulletin to clarify how support and opposition are registered with the City for the purposes of future land use plan amendments and rezoning applications. The purpose of this IB is to clarify for the customer the procedures for receiving and documenting notices in support and opposition to the rezoning request and the determination for a super majority vote by City Council to approve the request when opposition within 200 feet of a property under consideration for a future land use plan amendment or a rezoning request exceeds 20%.

**Summary:**

For all zoning and plan amendment cases, the Unified Development Code requires 1) public advertisement of the hearing in a newspaper of general circulation, and 2) mailed notification of the zoning change request to all owners of property within 200 feet of the subject property. The City of San Antonio advertises and sends notification prior to the Zoning Commission and Planning Commission hearings, and again prior to the City Council hearing. Additionally, our UDC requires notice to the registered Neighborhood Association within 200 feet of the subject property to be rezoned. In order to document notices received for support or opposition, notice must be received by 4:00 pm the day prior to the date of the hearing. Staff will illustrate support and opposition thru the use of checkmarks in favor and X's in opposition on a map, as well as report total number of notices mailed when presenting the case to Zoning Commission, Planning Commission and City Council. Additionally, petitions received must be received by 4:00 pm the day prior to the date of the hearing and should contain property owner names, addresses and phone number in order to validate those owners within 200 feet of the subject property to be rezoned. Notices received for Zoning Commission and Planning Commission will be maintained through the City Council public hearing process, unless a new notice is received from the property owner or Neighborhood Association retracting a previous position.

In accordance with the Texas Local Government Code, Development Services staff is required to calculate the land area registered in opposition to a rezoning request. Section 211.006 (e) of the Texas Local Government Code states:

*In computing the percentage of land area under Subsection (d), the area of streets and alleys shall be included.*

Should opposition to a request exceed 20%, a three-fourths (3/4) majority vote by City Council for approval is required. Additionally, if the written opposition appears to be at least 20%, the applicant is entitled to, but is not required to request an automatic continuance if all members of the City Council are not present, in accordance with Section 35-421(e)(3) of the San Antonio Unified Development Code. Area calculated is calculated to the one hundredth decimal point and not rounded up or down.

This Information Bulletin is for informational purposes only.

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